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To:	Examiner Tom Duong Art Unit 3722	From:	John E. Wagner
Company:	U.S. Patent and Trademark Office	Pages:	38 (includes the cover sheet)
Fax:	703/746-8355	Date:	December 10, 2003
Re:	Amendment Filed	Our Docket:	01-2827-64

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ As Requested

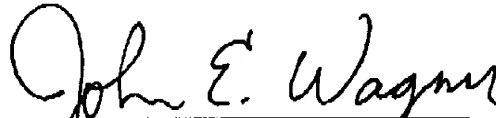
In accordance with our telephone call of 2:30 p.m. (PST), December 10, 2003, enclosed are the following as requested:

1. A copy of our amendment (18 pages) sent by facsimile on November 17, 2003, at 15:58 (3:58 18 pages and 16:07 and 6 pages at 16:12 and 4 pages at 16:17 to 703/872-9306.
2. Auto reply facsimile transmission receipt on November 17, 2003
18 pages 6:54:40 p.m.
6 pages 7:16:55 p.m., and
4 pages 7:14:34 p.m.
3. We also forwarded the original exhibits and the facsimile of Mr. Finn's declaration in a binder to Mr. Kreps, our Washington associate. A copy of the amendment was, I recall, in a pocket or rear cover of the binder. Mr. Kreps reported that he hand delivered the binder to your office the day he received it, November 18, 2003.

4. When the original signature of Mr. Finn arrived, we forwarded the original declaration. Enclosed is the postal card returned December 1, 2003, acknowledging receipt of the declaration and amendment November 24, 2003.

Enclosed is a copy of the amendment as faxed November 17, 2003. Faxing of amendments is new to this office and can be marvelous if it always works.

Respectfully submitted,



John E. Wagner, Reg. No. 11,496
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JW:mm

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I:\Patent\Finn\64.Fax-Ex. Duong Requested Amendment

Auto-Reply Facsimile Transmission



TO: Fax Sender at 8189578123

Fax Information

Date Received:

Total Pages:

11/17/2003 7:16:55 PM (Eastern Standard Time)
6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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11/17/2003 16:12 8189578123		JWAGNER	PAGE 01
LAW OFFICES OF JOHN E. WAGNER 3541 Ocean View Blvd. Glendale, California 91208 United States of America Phone: +818-957-3340 Fax: +818-957-8123 E-mail: wagpatmlaw@aol.com			
Fax			
To:	Examiner Thanh P. Duong	From:	John E. Wagner
Company:	U.S. Patent and Trademark Office	Pages:	6 (includes this cover sheet)
File:	7038/2-0301	Date:	November 17, 2003
Re:	Response to Final Office Action	Our Refers:	01-3827-04
<input type="checkbox"/> Urgent <input type="checkbox"/> For Reply <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> As Requested			
Please file the enclosed Amendment Under 37 C.F.R. 1.118 and the Declaration of Charles A. Finn, Exhibit A (Blinder, "The T-Bar" Putty by Midway Firm) will be sent by overnight mail to our Washington associate and hand delivered to the Examiner.			
RESENDING NOT ALL PAGES WENT THROUGH.			
CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED The information transmitted in this facsimile message is sent by an attorney or his/her agent, is intended to be confidential and for the use of only the individual or entity named above. If the recipient is a client, this message may also be for the purpose of rendering legal advice and thereby privileged. If the sender of this message is not the intended recipient, you are hereby notified that any review, dissemination, distribution or copy of this message is strictly prohibited. If you have received this message in error, please immediately notify us by phone and return the original message to us at the address above via the most secure method possible. Thank you.			
PAGE 01/001 AT 11/17/2003 7:16:55 PM (Eastern Standard Time) * USPTO-EFAX-24 * DNIS:7468355 * CSID:8189578123 * DURATION (mm:ss):02-04			

ECM

Serial No. 09/934,967

should make it clear that Paquette's structure cannot function as described. The described "moment arm" is either blocked or minimized in Paquette because any tendency of weight 30 to react as described is effectively blocked by legs 32, 34.

The compensating force of applicant's weight 26 can have no counterpart in Paquette because legs 32, 34 prevent the inertial reaction of his weight 30, as described. Thus, Paquette actually teaches away from applicant's invention, as claimed.

Claim 14 has been amended to add the word --single-- before "support" to point up the fact that applicant teaches and claims "a single support" for his "elongated weight member". This amendment obviously requires no additional search because similar language has been pending in claim 20. This claim is believed clearly allowable over Paquette.

Claims 15, 17, and 18 remain as before other than the above-described change in parent claim 14 and are believed allowable along with claim 14.

Applicant has proposed a change in claim 20 in which a "whereby" provision is added to specifically describe the manner in which applicant's elongated weight member acts to compensate for an off-center hit of a ball. This change is essentially in the language of the description of Fig. 4 of page 8 of applicant's specification, recites no additional structure and is not believed to require any additional search. Claim 20 is believed clearly allowable over Paquette for reasons discussed above.

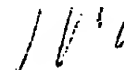
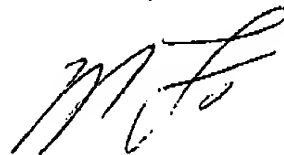
Claims 21, 22, 24, 26, and 27 are dependent upon claim 20 and remain the same

DECLARATION OF CHARLES A. FINN

I, CHARLES A. (MICKEY) FINN, hereby declare and state:

1. I am the inventor of the T-Bar Putter™, which is the subject of U.S. patent application Serial No. 09/934,987 filed August 22, 2001, based upon Provisional Patent Application Serial No. 60/227,741 filed August 24, 2000.
2. Attached hereto is a binder with a cover "The T-Bar Putter™ by Mickey Finn" in which I have gathered together and submitted to my attorney of record October 30, 2003, the following documents:
 - a) My own undated statement to the U.S. Patent and Trademark Office.
 - b) Cover page and testimonial from the sales manual of Progressive Innovations, Inc., which is my retail arm with testimonials from five professional golfers. The testimonials to my information and belief are true and correct.
 - c) A proposed agreement with GLOBAL GOLF dated October 20, 2000, stating provisions which I accepted.
 - d) A copy of the T-Bar Putter™ triple fold brochure.

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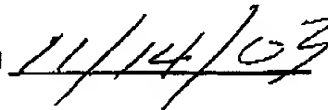
6. This document also describes my previous inventions which have been recognized and have constituted major contributions to our U.S. national defense and economy.
7. My previous inventions also support the fact that I have since turned my attention to inventing in the sporting goods field, particularly golf. I am not a golfer but am experienced and creative in producing mechanical devices of originality and superiority in meeting the needs of the users. Also, I have no connections with any existing major golf company nor have I paid for any endorsements, statements, or the like, contained in the document or from any golf professional.

I hereby declare that all statements made herein are true and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any registration resulting therefrom.

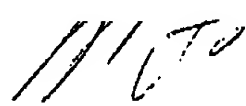
Signed


Charles A. Finn

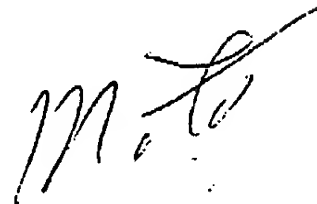
Dated



L:\Patent\Finn\04 Declaration of Charles A. Finn



- e) An excerpt from GOLF WORLD Magazine of March 2, 2001 and page 4 describing the T-Bar Putter™ in a brief article by John Strega referencing use by Arnold Palmer.
- f) The cover of PGA Merchandise Show newsletter dated January 25, 2002, where the T-Bar Putter™ was formally introduced mentioned on the cover.
- g) An additional reference in GOLF WORLD, January 25, 2002, and page 13 describing the T-Bar Putter™ including its feature, which is claimed.
- h) GOLF WORLD BUSINESS, January 25, 2002, page 1, reference to the T-Bar Putter™.
- i) Cover and excerpt from the AFFLUENT GOLFER showing the T-Bar Putter™.
- j) Harrington Publications, Spring 2002, showing the T-Bar Putter™.
- k) Excerpt from Edwin Watts Golf Catalog, Spring 2002, showing the T-Bar Putter™.
- l) Excerpt from GOLF EXTRA Magazine, August/September, showing the T-Bar Putter™.



Received in the U.S. Patent and Trademark Office
Mail Stop Non-Fee Amendment
Applicant: Charles A. Finn
Title: GOLF PUTTER HAVING SPACED WEIGHT MEMBER
Serial No.: 09/934,967
Filed: 08/22/2001
Confirmation No.: 9064
Examiner: Thanh P. Duong
Art Unit: 3711

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Filed: 08/22/2001
Confirmation No.: 9064
Examiner: Thanh P. Duong
Art Unit: 3711



Enclosures:
✓ Acknowledgement Postcard
✓ 2 Cover Sheets w/Certificate of First Class Mailing
✓ Amendment
✓ Declaration of Charles A. Finn
Docket: 01-2827-64
Date: November 21, 2003

FILE COPY